



One Hundred First Legislature - First Session - 2009
Introducer's Statement of Intent
LB 518

Chairperson: Brad Ashford
Committee: Judiciary
Date of Hearing: March 26, 2009

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

The purpose of LB 518 is to clarify the distinctions between first degree murder and second degree murder and voluntary manslaughter and involuntary, as they have become less clear over time.

To that end, the bill modifies the definitions of first degree murder and second degree murder, redefines manslaughter to include new definitions of voluntary and involuntary manslaughter, adds new definitions for first degree felony murder and second degree felony murder, adds definitions of terms not currently in the statute (including deliberation, malice, intentionally, unintentionally, kills another, causes the death of another and proximate result), and makes clear that death penalty proceedings can take place when the accused has been charged with either premeditated murder or intentional felony murder and an aggravating circumstance has been alleged.

In addition, the bill modifies the definition of motor vehicle homicide, modifies the perjury statutes and explosive statutes and amends the maximum punishment for 1B felonies (second degree murder and kidnapping) to a maximum of 100 years.

There is a clear expression of legislative intent that the changes are not retroactive.

Principal Introducer:

Senator Amanda McGill